

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

CLERK'S OFFICE  
JULY 13, 2005 P 2:59

**DAVID WILLIAMS, PRO SE**

-vs-

**DAVID NOLAN**, Superintendent at Massachusetts Correctional Institution, Cedar Junction,  
**PETER ALLEN**, former Superintendent at Massachusetts Correctional Institution, Cedar Junction,  
**KRISTIE LADOUCEUR**, Grievance Coordinator, at Massachusetts Department of Correction,  
**SHERRY ELLIOTT**, Director of Treatment, at Massachusetts Correctional Institution, Cedar Junction, **GARY FYFE**, employee at Massachusetts Correctional Institution, Cedar Junction,  
**FRANCIS MACKINNON**, former Sergeant at Massachusetts Correctional Institution, Cedar Junction, each sued in their personal capacities, Defendants.

**05 11104 MLW**

DISTRICT COURT CIVIL DIVISION DOCKET NO:

64554

CIVIL RIGHT'S COMPLAINT

MAGISTRATE JUDGE Bough

RECEIPT # 64554  
 AMOUNT \$750  
 SUMMONS ISSUED yes  
 LOCAL RULE 4.1  
 WAIVER FORM  
 MCF ISSUED now  
 BY DPTY CLK 64554  
 DATE 5/16/05

PARTIES

1. Plaintiff David Williams, aka Herbert Vaughan w-42189, is a natural person confined at Massachusetts Correctional Institution, Cedar Junction, a state prison operated by the Massachusetts Department of Correction located in South Walpole, Massachusetts.
2. Defendant David Nolan, is a natural person appointed as a state employee within the Massachusetts Department of Correction as Superintendent of Massachusetts Correctional Institution, Cedar Junction located in South Walpole, Massachusetts. He is sued in his personal capacity.

3. Defendant Peter Allen, is a natural person appointed as a state employee within the Massachusetts Department Of Correction as former Superintendent of Massachusetts Correctional Institution, Cedar Junction, located in South Walpole, Massachusetts. He is sued in his personal capacity.

4. Defendant Kristie Ladouceur, is a natural person appointed as a state employee within the Massachusetts Department of Correction as Grievance Coordinator located in Milford, Massachusetts. She is sued in her personal capacity.

5. Defendant Sherry Elliott, is a natural person appointed as a state employee within the Massachusetts Department of Correction as Director of Treatment at Massachusetts Correctional Institution, located in South Walpole, Massachusetts. She is sued in her personal capacity.

6. Defendant Gary Fyfe, is a natural person appointed as a state employee within the Massachusetts Department of Correction as a Recreation Officer at Massachusetts Correctional Institution, located in South Walpole, Massachusetts. He is sued in his personal capacity.

7. Defendant Francis MacKinnon, is a natural person appointed as a state employee within the Massachusetts Department of Correction as former Property Officer at Massachusetts Correctional Institution, located in South Walpole, Massachusetts. She is sued in her personal capacity.

JURISDICTION

8. This alleged action arises under the Constitution of the United States, Art. IV, Sec. 2, Art. VII; Bill of Rights of 1688; First, Fifth and Fourteenth Amendment to the Constitution of the United States, Sec. 1; Civil Rights Act of 1866, c. 31: 14 Stat. 27; Civil Rights Act of 1871, c. 22; 17 Stat. 13; U.S.C. title 28 §§ 1331, 1343(a)(3)(4); U.S.C. title 28 § 1367(a); U.S.C. title 42 § 1983.

9. This Court also has supplemental jurisdiction over the Plaintiff's alleged State Law violations herein of Articles I, II, XII and XLVI § 1 of the Massachusetts Constitution, Declaration of Rights; Massachusetts Civil Rights Act, Mass. Gen. Laws. ch. 12 §§ 11H, 11I; Administrative Procedure Act, G.L. c. 30A, §§ 2 thru 6; M.G.L. c. 124 § 1, et seq; M.G.L.c. 127 § 88; 103 Code. Mass. Regs. 403.00, et seq, (1996); M.G.L.c. 258 § 10(b).

**STATEMENT OF FACTS**

10. The Plaintiff alleges that he began his incarceration at Massachusetts Correctional Institution in the year of 1986.

11. Plaintiff alleges that he has been a individual practitioner of what is now been clearly established as a religion Wiccan Faith.

12. Plaintiff further alleges that as a individual practitioner he purchased ten religious books and three Tarot Card Decks religious items central to his religious beliefs through his prison account from the religious Order of the Theosophical Society; Wiccan Book store The Llewelly New Times also known as Llewellyn Publication; Dover Publication; Barnes and Noble Bookstore documented thru the years of 1989 till 1991.

13. Plaintiff alleges that as a individual practitioner his possession of various religious property was limited and the employment of symbolism within his ritual practice and gave him a sense of personal connection to a divine life source from the use of Tarot Cards through a ritual practice called path work and the use of religious text.

14. Plaintiff further alleges that on or about October 15, 2002, he was told that he was being reassigned to lower housing security which

he refused and was placed on administrative segregation awaiting action status.

15. Plaintiff alleges that on or about October 16, 2002, he was told to pack his personal belongings and prepare to be transferred to the maximum security end of the prison.

16. Plaintiff alleges that on or about October 21, 2002, a stabbing took place within the unit he was located although he was not involved the Plaintiff was locked in his cell during this incident.

17. Plaintiff alleges that on or about October 21, 2002, he was told to cuff up and was taken to the West Wing Segregation Unit for pending investigation all his property was inventory by Inner Perimeter Security and all his property was sent to the property office.

18. Plaintiff further alleges that on or about November 11, 2002, he was taken out of the West Wing Segregation Unit and placed in cell in the maximum security end of the prison he then receive his property thereafter from the property office without his personal religious property that consist of ten religious books and three Tarot Card Decks and other various religious items.

19. Plaintiff alleges that he sent a letter accompanied by two grievance complaints to Deputy Commissioner Kathleen Dennehy concerning the prohibiting of his religious property on November 7, 2002.

20. Plaintiff alleges that Defendant Ladouceur forwarded the letter and two grievance complaints to Defendant Fyfe who stamped them on November 13, 2002, as being received by the Institutional Grievance Office.

21. Plaintiff further alleges that he also sent a letter to Administrative

Assistance Joanne Paquin trying to resolve this problem in house as soon as possible without legal action.

22. Plaintiff further alleges that between his conscience and the unlawful confiscation of his religious property and the deprivation of his right to worship as he was accustomed according to his belief by Defendant MacKinnon he came under a tremendous amount of psychological and physical stress.

23. Plaintiff alleges that on or about November 15, 2002, he received a fraudulent summary findings of his grievance complaint under the direction of Defendant Elliott's fraudulent misrepresentation and Defendant Fyfe's reliance on stating his religious property was confiscated for reasons given as "the record indicate that you are catholic that contradicts your religious rights being violated. This emergency is denied."

24. Plaintiff alleges that he filed an appeal to Defendant Allen on November 15, 2003, appealing Defendant Fyfe's fraudulent act.

25. Plaintiff further alleges that he received a fraudulent summary findings on his appeal from Defendant Allen stating that "your religious rights have not been violated. Whereas your religious designation is listed as catholic the religious articles removed from your cell were appropriately contraband."

26. Plaintiff alleges that on or about January 9, 2003, he received a letter from Defendant Ladouceur stating "please be advised that after a thorough review of the above-mention grievances and appeal I, concur with the institutional summary of the findings that your religious designation listed as catholic."

27. Plaintiff alleges that on or about March 4, 2005, that he sent a letter accompanied by an Inmate Religious Service Request Form to Commissioner Kathleen Dennehy who forwarded the material to Defendant Nolan for investigation and resolution.

28. Plaintiff further alleges that on or about March 30, 2005, that Defendant Nolan sent him a fraudulent summary finding stating "according to Cedar Junction Property Department Records, there is no documentation to indicate that you had ever purchased any Tarot Cards or specific religious books, nor were these items in your property upon your admission. I consider this matter closed."

29. [A]ll adiministrative avenues have been exhausted by the Plaintiff.

COUNT

.1.

**AGAINST DEFENDANTS ELLIOTT AND FYFE IN THEIR PERSONAL CAPACITIES**

Unlawful Prohibiting Free Exercise of Religion in violation of 42 U.S.C. § 1983

Plaintiff realleges the facts contained in paragraphs 1 through 29 and incorporates them herein.

30. Plaintiff alleges that he had a secured right in his religious exercise which was not subject to unlawful prohibiting.

31. Plaintiff alleges that he had a secured right of the use of his personal religious property in his religious exercise which was not subject to unlawful prohibiting.

32. Plaintiff further alleges that Defendant Elliott violated his free exercise of his religious beliefs from her actionable tort conduct in her official capacity as Director Of Treatment in providing a

deceitful statement to Defendant Fyfe decision making relied upon in issuing a final determination stating, "the records indicate that you are catholic that contradicts your claim of your religious rights being violated. This emergency is denied."

33. Plaintiff alleges that Defendant Fyfe violated his protected right's by his conduct in committing actionable tort from the fraudulent misrepresentation relied upon from Defendant Elliott his failure to investigate as required by duties as grievance coordinator in deciding the plaintiff's grievance complaint regarding inmate property under 103 CMR 403.00 et seq.

34. Plaintiff alleges that Defendants Elliott and Fyfe's fraudulent misrepresentation substantially burden him from free exercise of his sincerely held religious beliefs by prohibiting him from possessing his personal religious property of required ten religious books and one Tarot Card deck depriving him from observing what he believes to be a central ritual of his religious beliefs a violation of the Massachusetts Constitution, Article XLVI of the Declaration of Rights and a secured right within the First Amendment to the United States Constitution.

35. Plaintiff further alleges that Defendant Elliott and Fyfe violated his freedom to worship from the fraudulent misrepresentation in depriving the plaintiff of his ten religious books and one Tarot Card deck in accordance with 103 CMR 403.00 (Inmate Property) protected under Article XII of the Massachusetts Constitution, Declaration of Rights and within the Fifth and Fourteenth Amendment to the Constitution of the United States.

JURISDICTION COUNT  
.2.

**AGAINST DEFENDANTS NOLAN, ALLEN AND LADOUCEUR IN  
THEIR PERSONAL CAPACITIES**

Unlawful Prohibiting Free Exercise of  
Religion in violation of U.S.C. §  
1983

Plaintiff realleges the facts contained in paragraphs  
1 through 35 and incorporates them herein.

36. Plaintiff alleges that he had a secured right in his religious exercise which was not subject to unlawful prohibiting.
37. Plaintiff alleges that he had a secured right of the use of his personal religious property in his religious exercise which was not subject to unlawful prohibiting.
38. Plaintiff further alleges that Defendants Allen and Ladouceur in their capacity of supervisory officials designated to review the Plaintiff's grievance complaint under 103 CMR 491.00 et seq (Inmate Grievances), violated his secured rights in failing to remedy the prohibiting of his religious property of ten religious books and one Tarot Card deck in violation of promulgated regulations governing (Inmate Property) 103 CMR 403.10 (7),(d), a violation of the Massachusetts Constitution, Article XLVI of the Declaration of Rights and a secured right within the First Amendment to the United States Constitution.
39. Plaintiff alleges that Defendants Allen and Ladouceur in their capacity of supervisory officials violated the Plaintiff's rights by their conduct in committing actionable tort had a mandatory obligation to conform to a legal standard of reasonable conduct for the protection of his secured right to exercise his religious beliefs with the use of

his personal religious property protected under Article I, II XII, of the Massachusetts Constitution, Declaration of Rights and within the Fifth and Fourteenth Amendment to the Constitution of the United States.

40. Plaintiff alleges that Defendant Nolan committed actionable tort in his capacity of supervisory official designated to review the Plaintiff's Inmate Religious Service Request Form maliciously and intentionally violated his secured right's in failing to remedy the prohibiting his religious property of ten religious books and one Tarot Card deck in issuing a fraudulent statement in full knowledge of his Inmate Treasury Account history regarding the purchasing of religious property a violation of the Massachusetts Constitution, Article XLVI, of the Declaration of Rights and a secured right within the First Amendment to the Constitution of the United States.

41. Plaintiff alleges that Defendant Nolan in his capacity supervisory official violated his right to exercise his religious beliefs with a deliberate indifference of the Plaintiff's religious property protected under Article I, II, XII, of the Massachusetts Constitution, Declaration of Rights and within the Fifth and Fourteenth Amendment to the Constitution of the United States.

COUNT

.3.

**AGAINST DEFENDANT MACKINNON IN HER PERSONAL CAPACITY**

Unlawful Prohibiting Free Exercise of  
Religion in violation of U.S.C. §  
1983

Plaintiff realleges the facts contained in paragraphs  
1 through 41 and incorporates them herein.

42. Plaintiff alleges that he had a secured right in his religious exercise which was not subject to unlawful prohibiting.

43. Plaintiff alleges that he had a secured right of the use of his personal religious property in his religious exercise which was not subject to unlawful prohibiting.

44. Plaintiff further alleges that Defendant MacKinnon in her capacity as supervisory official designated to maintain property records and the storage and releasing of his personal religious property within duly promulgated regulations governing (Inmate Property), 103 CMR 403.00 et seq., by her conduct committed actionable tort from the fraudulent reliance allowing the prohibiting and destruction of his ten religious books and one Tarot Card deck with malicious intent of substantially burden the Plaintiff from observing what he believed to be a central ritual of his religious belief a violation of the Massachusetts Constitution, Article XLVI of the Declaration of Rights a right also secured within the First Amendment to the Constitution of the United States.

45. Plaintiff alleges that Defendant MacKinnon's deceit deprived him freedom to worship his sincerely held beliefs from the prohibiting and destruction of his religious property of ten religious books and one Tarot Card deck with deliberate indifference of his right to free exercise of religion under duly promulgated regulations governing (Inmate Property), 103 CMR 403.10 (7), (d), deprived him of his right to due process protected within Massachusetts Constitution, Article I, II, XII, of the Declaration of Rights and under the Fifth and Fourteenth Amendment to the Constitution of the United States.

COUNT

.4.

**AGAINST DEFENDANTS NOLAN, ALLEN, LADOUCEUR,  
ELLIOTT, FYFE AND MACKINNON IN THEIR  
PERSONAL CAPACITIES**

**Unlawful Prohibiting Free Exercise of  
Religion in violation of Massachusetts  
Civil Rights Act**

Plaintiff realleges the facts contained in paragraphs 1 through 45 and incorporates them herein.

46. Plaintiff alleges that he had a secured right in his religious exercise which was not subject to prohibiting.

47. Plaintiff alleges that he had a secured right of the use of his personal religious property which was not subject to prohibiting.

48. Plaintiff further alleges that Defendants Nolan, Allen, Ladouceur, Elliott, Fyfe and MacKinnon acts of reckless disregarding substantially interfered with his free exercise of his sincerely held religious beliefs by prohibiting him from possessing and reading his religious books and Tarot Cards a fundamental principles of his Wiccan Beliefs violated (Inmate Property), 103 CMR 403.00 et. seq.; Mass. Gen. Laws. ch. 127 § 88; Article XLVI of the Massachusetts Constitution, Pt. 1. Declaration of Rights.

49. Plaintiff alleges Defendants Nolan, Allen, Ladouceur, Elliott, Fyfe and MacKinnon acts of deliberate indifference to his sincerely held religious beliefs substantially burden him from observing what he believed to be central to his religious beliefs depriving him of due process protected within Article I, II, XII, of the Massachusetts Constitution, Pt. 1. Declaration of Rights; 103 CMR 403.00 et. seq.

**CLAIMS FOR RELIEF**  
.5.

**AGAINST DEFENDANTS NOLAN, ALLEN, LADOUCEUR,  
ELLIOTT, FYFE AND MACKINNON IN THEIR  
PERSONAL CAPACITIES**

Tortious Malicious and Direct Injury

Plaintiff realleges the facts contained in paragraphs 1 through 49 and incorporates them herein.

50. Plaintiff alleges that Defendants Nolan, Allen, Ladouceur, Elliott, Fyfe and Mackinnon knew or reasonable should have known as supervisory officials that their malicious intentional prohibiting his religious property that was duly promulgated by the Massachusetts Department of Correction regulations 103 CMR 403. 10 (7),(d), violated his secured right to exercise his religious beliefs was intentionally done in bad faith of clearly established law violated Massachusetts Constitution, Article XLVI, Declaration of Rights and within the First Amendment of the Constitution to the United States.

51. Plaintiff alleges that Defendants Nolan, Allen, Ladouceur, Elliott, Fyfe and MacKinnon malicious acts inflicted the deprivation of freedom to worship his sincerely held beliefs done intentionally, without any reasonable related legitimate security concerns or other penological, economical interest, justification or excuse and did so for the sole purpose of intentionally inflicting unnecessary cruelty by a misuse of authority and ultimate, unlawfully prohibiting him of free exercise of religion within the First Amendment incorporated thru the Fourteenth Amendment to the Constitution of the United States also a violation of Massachusetts Constitution, Pt. 1. Article XLVI, Declaration of Rights and thus done in clear violation of 42 U.S.C. § 1983.

52. An actual controversy exists between the parties which can only be resolved by this Court.

**WHEREFORE**, the Plaintiff prays for judgement against the defendants for the following relief;

**PRAYER OF RELIEF**

1. **NOMINAL DAMAGES.**

2. **PUNITIVE DAMAGES, IN THE FOLLOWING AMOUNTS;**

- A. **\$15,000.00**, against Defendant **DAVID NOLAN** sued in his personal capacity.
- B. **\$15,000.00**, against Defendant **PETER ALLEN** sued in his personal capacity.
- C. **\$15,000.00**, against Defendant **KRISTIE LADOUCEUR**, sued in her personal capacity.
- D. **\$15,000.00**, against Defendant **SHERRY ELLIOTT** sued in her personal capacity.
- E. **\$10,000.00**, against Defendant **GARY FYFE** sued in his personal capacity.
- F. **\$20,000.00**, against Defendant **FRANCIS MACKINNON** sued in her personal capacity.

3. Court Cost

4. **TRIAL BY JURY.**

5. Grant any other/or further relief as this Court would deem, just proper and equitable.

Respectfully submitted,  
David Williams, pro se  
David Williams, pro se  
w-42189  
P.O. Box 100,  
So. Walpole, MA 02071-0100

**VERIFICATION OF COMPLAINT**

I, hereby state and affirm that I am the Plaintiff in the above-entitled Civil Right's Complaint, that I have read the Civil Action and know the contents there of and that the facts contained therein are true to the best of my knowledge, information and belief.

Signed under the pains and penalties of perjury this 8th day of May, 2005.

David Williams, pro se  
David Williams, pro se  
w-42189  
P.O. Box 100,  
So. Walpole, MA. 02071-0100

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

UNSWORN DECLARATION

I, David Williams, pro se, depose and swear to the following pursuant to U.S.C. § 1746 to the filing and contents of these documents;

1. Plaintiff's inmate grievance form.
2. Plaintiff's institutional appeal form.
3. Marcus Pixley inmate grievance form original within 03-cv-10224-MLW.
4. Correspondence to Kathleen M. Dennehy from Plaintiff dated March 4, 2005.
5. Accompanying Inmate Religious Service Request Form.
6. Correspondence from Defendant David Nolan.
7. Institutional Financial Transaction History Record.
8. Llewellyn Publication Order Form.
9. Select Bibliography. (Dover Publications)

I, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge. Signed this 8th day of May, 2005.

David Williams, pro se  
David Williams, pro se  
w-42189  
P.O. Box 100,  
So. Walpole, MA 02071-0100

## DEPARTMENT OF CORRECTION

Emergency

INMATE GRIEVANCE FORM

FORWARD TO INSTITUTIONAL GRIEVANCE COORDINATOR (ICC)

This is the proper  
GRIEVANCE governing  
GRIEVANCE RegulationEmergency Grievance

NAME: David Williams

INSTITUTION: MCI - Cedar Junction

10/22/02

(DW) NUMBER: W-42189      HOUSING: WWS U      DATE OF INCIDENT: OCT 22, 02

J.O.C. Officials did Knowingly, intentionally, and Willingly violate my Civil Rights' COMPLAINT: protected under the EQUAL Protection Law, & under the 14th Amendment U.S. Constitution, Freedom of Religious Act (2000) § 8.41 2265. c. 127B, all their Actions were taken while under the "Color of law" I have, a Constitutional Right to practice my Religious Beliefs Accordingly AND to have, Religious articles in my possession according to my Religious Belief - AND NOT A threat to the Security of the institution causing extreme pain resulted from extreme mental distress.

REMEDY REQUESTED: The Complete Returning of "All" Religious items confiscated 3 Deck Tarot Cards, one BIK Gang cloth, Books of Religious nature, American Indian & Egyptian moral And I Also Request payment of \$ 150.00 A day Compensatory damages And \$ 200.00 in damages (punitive) in good faith COMMERCING from the Confiscation & deprivation of my Civil Rights to practice my Religious Beliefs' 10/22/02 October 22, 2002 (DW)  
LOCK-DOWN OF prison 10/22/02 to 10/28/02

SIGNATURE: David Williams

STAFF RECIPIENT:

janyfylle

RECEIPT BY INSTITUTIONAL GRIEVANCE COORDINATOR

02-1092

DATE RECEIVED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

DATE RECEIVED: 11/13/02 ICC'S SIGNATURE: janyfylle

\* APPEALS ARE FILED TO THE SUPERINTENDENT. THIS MUST BE DONE WITHIN (10) DAYS.

DECISION: The records indicate that you are Catholic which contradicts your claim of your religious rights being violated. This emergency is denied

SIGNATURE: janyfylle DATE: 11/14/02

## INMATE RECEIPT

INMATE'S NAME: David Williams INSTITUTION: CS

NUMBER: 02-1092 DATE RECEIVED: 11/13/02

SIGNATURE (ICC): janyfylle TITLE: RLOS

*"Emergency"*

ATTACHMENT NO. 438  
ACC'S OFFICE  
CIVAL POLE

DEPARTMENT OF CORRECTION  
INSTITUTION APPEAL FORM, (ATTACH ORIGINAL #02-1092)  
FORWARD TO THE INSTITUTIONAL SUPERINTENDENT 105 CMR 149A, 11, 12;  
*149H, 02*

SECTION A

NAME: David Williams INSTITUTION: M.C.I. - Cedar Junction  
NUMBER: w-42189 10/22/02  
HOUSING UNIT: Bristol 3 DATE OF INCIDENT: October 22, 02

APPEAL: (IGC) Gary Fyfe's denial of "Emergency Grievance," #02-1092 boarders as an impertinent matter consisting of an assumption which is not responsive nor relevant to the issues involved in this action and can not be put in as an issue or be given any weight as evidence in this matter. (RFRA) 42 U.S.C. § 2000bb, 1(c); G.L.c. 265, 127A: 1st&14th (ATTACH ADDITIONAL PAGE IF NECESSARY) ~~Amendment~~ Amendment of U.S. Const.

REMEDY The complete returning of all religious items&articles confiscated REQUESTED: 3 Tarot Card Decks, 1 Blk pray cloth, Books of religious nature American Indian & Egyptian mural and I request payment of \$150.00 a day compensatory damages and \$200.00 a day punitive damages, commencing from the confiscation & deprivation of my civil rights: October 22, 2002  
INMATE SIGNATURE: David Williams, w-42189 DATE: Nov 15, 2002

STAFF RECIPIENT: Judie Best DATE: 11/19/02  
DATE RECEIVED: 11/19/02

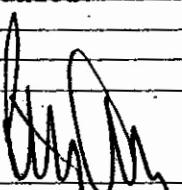
SECTION B

ASSIGNED GRIEVANCE NUMBER: 02-1092  
ASSIGNED INSTITUTION APPEAL NUMBER: 02-438

DECISION RENDERED: APPROVED  
 DENIED

## SUMMARY OF FINDINGS:

Your religious rights have not been violated. Whereas your religious designation is listed as Catholic, the religious articles removed from your cell were appropriately contrabanded.

SUPERINTENDENT'S  
SIGNATURE: 

DATE: 11/26/02

13

*Sgt*  
ATTACHMENT "A"

DEPARTMENT OF CORRECTION  
INMATE GRIEVANCE FORM  
FORWARD TO THE INSTITUTIONAL GRIEVANCE COORDINATOR (IGC)

**SECTION "A"**NAME: Marcus Pixley INSTITUTION: C. J. WallNUMBER: W-108105 HOUSING UNIT: B-2 #27 DATE OF INCIDENT: 10-16-02COMPLAINT: I wrote to Ms Sherry Elliotts To Place my Name on the list for Ramadan in order for me to fast this month and to take part in the celebration the end of this month as well.  
(ATTACH ADDITIONAL PAGE IF NECESSARY)

## REMEDY

REQUESTED: that my name be placed on both list for this month, see letter attached to sherry elliot's ...INMATE SIGNATURE: Marcus J. Pixley DATE: 11/5-02STAFF RECIPIENT: Spangler DATE: 11/6/02DATE RECEIVED: 11/6/02**SECTION "B"**ASSIGNED GRIEVANCE NUMBER: 52-1069DECISION RENDERED: APPROVED  
 DENIED

## SUMMARY OF FINDINGS:

Director of Treatment Sherry Elliott has informed me that your current religious status is as a Catholic. To receive Ramadan one has to be Muslim. This grievance is denied.IGC SIGNATURE: Marcus J. Pixley DATE: 11/18/02  
(DENIED GRIEVANCES MAY BE APPEALED TO THE SUPERINTENDENT WITH 10 DAYS OF IGC'S DECISION.)**SECTION "C"**

## INMATE GRIEVANCE RECEIPT

INMATE NAME: Marcus Pixley INSTITUTION: CJNUMBER: 52-1069 DATE RECEIVED: 11/6/02SIGNATURE (IGC): c Spangler TITLE: Plat

MOU05102 PH 0121012

March 4, 2005

Department of Correction  
Kathleen M. Dennehy  
Commissioner  
50 Maple St., Suite III  
Milford, MA 01757

RE: INMATE RELIGIOUS SERVICE REQUEST FORM (APPEAL)

Dear Commissioner Dennehy:

I am sending this inmate religious service request form to appeal to you in hopes that you can resolve the issue of the confiscation of my approved on-person religious property per DOC regulations and policies allowing the possession of my Tarot Card Deck and my Ten Religious Books in hopes that they will be returned back to me so that I may all items were allowed into the institution by the property office.

The confiscation of my property took place on November 11, 2002, during a transfer to Ten Block and has not been returned and I'm requesting them back since DOC property policy allowed the possession of One Tarot Card Deck and Ten Religious Books or any books for that matter and should have been returned immediately at the time of my release from ten block.

I thank you for your time and consideration and appreciate your assistance in this matter and grant this inmate religious service request form to resolve this issue.

Sincerely,



David Williams  
w-42189  
P.O. Box 100  
So. Walpole, MA 02071

Attached: Inmate Religious Service Request Form  
cc: dw

## Inmate Religious Services Request Form

1. **What is the official name of the faith group?**  
Wiccan/Alexandrin Egyptian
2. **Who is the head of the faith group?**  
Individual Practitioner
3. **What is the address and telephone number of the faith group in Massachusetts or the U.S.?**  
N/A

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( ) \_\_\_\_\_ / \_\_\_\_\_.

4. **Does the faith group have ministers or teachers?**

Yes \_\_\_\_\_ No \_\_\_\_\_

5. **Are the ministers available to visit incarcerated members of the faith group?**

Yes \_\_\_\_\_ No \_\_\_\_\_

6. **Are there religious holydays to be observed?**

Yes X No \_\_\_\_\_

7. **If so, what religious practices are necessary for the observance?**

Individual Practitioner use Tarot Cards for Pathwork and Religious Books, The Mysteries of Isis, Isis Magic for the observance.

8. **Are there time and space requirements for the faith? If so, please explain?**

Individual Practitioner's are solitary people inmate cell is sufficient.

9. **Is the religion open to all inmates?**

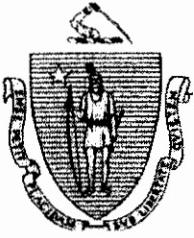
Yes X No \_\_\_\_\_

10. **Please provide reference material, which would be useful for researching this group?**

11. **What is your specific request?** Return of confiscated approved on-person religious property per DOC Regulation and Policy of my One Tarot Card Deck and my Ten Religious Books by prison officials this institution. This action was taken on November 11, 2002.

Name: David Williams

Commitment Number (#) w-42189



Mitt Romney  
Governor

Kerry Healey  
Lieutenant Governor

Edward A. Flynn  
Secretary

*The Commonwealth of Massachusetts  
Executive Office of Public Safety*

*Department of Correction  
M.C.I. Cedar Junction at Walpole*

*P.O. Box 100  
South Walpole, Massachusetts 02071*

*Tel: (508) 660-8000 Fax: (508) 660-8009*

*www.mass.gov/doc*



Kathleen M. Dennehy  
Commissioner

James Bender  
Deputy Commissioner

David Nolan  
Superintendent

March 30, 2005

David Williams  
MCI-Cedar Junction

Dear Mr. Williams:

Please be advised that Commissioner Dennehy has referred your matter to me regarding your property issue.

According to the Cedar Junction Property Department Records, there is no documentation to indicate that you had ever purchased any tarot cards or specific religious books, nor were these items in your property upon your admission.

I consider this matter closed.

Sincerely,

A handwritten signature in black ink that reads "David Nolan".

David Nolan  
Superintendent

RES/eal

C: Kathleen M. Dennehy, Commissioner  
Property Department  
Inmate File  
File

Massachusetts Department of Correction - Financial Transaction History - TFA\_SEARCH\_HIST  
 Report on Friday April 1, 2005 11:49

Commit # / Club Account	Institution	Date of Transaction	Type of Transaction	External Contact/Notes	Check #	Amount
W42189 - WILLIAMS, DAVID	WAL	19921230	CS - UNKNOWN		0	-\$ .77
W42189 - WILLIAMS, DAVID	WAL	19921230	MP - UNKNOWN	Maint Payroll 12/13-12/19	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19921230	MP - UNKNOWN	Maint Payroll 12/13-12/19	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19921228	CS - UNKNOWN	OWED FROM 12/22	0	-\$ 9.76
W42189 - WILLIAMS, DAVID	WAL	19921224	IN - Income	Interest Credited for NOV	0	\$ .58
W42189 - WILLIAMS, DAVID	WAL	19921224	IN - Income	Interest Credited for NOV	0	\$ .03
W42189 - WILLIAMS, DAVID	WAL	19921223	MP - UNKNOWN	Maint Payroll 12/06-12/12	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19921223	MP - UNKNOWN	Maint Payroll 12/06-12/12	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19921222	CS - UNKNOWN		0	-\$ .71
W42189 - WILLIAMS, DAVID	WAL	19921221	PE - UNKNOWN	CENTER NEWS	6,881	-\$10.50
W42189 - WILLIAMS, DAVID	WAL	19921216	CN - Canteen		0	-\$11.19
W42189 - WILLIAMS, DAVID	WAL	19921214	PG - UNKNOWN	POSTAGE	0	-\$7.45
W42189 -						

WILLIAMS, DAVID	WAL	19910219	ML - Mail	ARTHUR MORRISON	0	\$15.00
W42189 - WILLIAMS, DAVID	WAL	19910213	MP - UNKNOWN	Maint Payroll 01/27-02/02	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910213	MP - UNKNOWN	Maint Payroll 01/27-02/02	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910206	PE - UNKNOWN	LLEWELLYN PUBLICATIONS ***	1,286	-\$14.95
W42189 - WILLIAMS, DAVID	WAL	19910206	MP - UNKNOWN	Maint Payroll 01/20-01/26	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910206	MP - UNKNOWN	Maint Payroll 01/20-01/26	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910130	CN - Canteen		0	-\$4.30
W42189 - WILLIAMS, DAVID	WAL	19910130	MP - UNKNOWN	Maint Payroll 01/13-01/19	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910130	MP - UNKNOWN	Maint Payroll 01/13-01/19	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910128	PE - UNKNOWN	CENTER NEWS	1,202	-\$10.00
W42189 - WILLIAMS, DAVID	WAL	19910128	IN - Income	Interest Credited for DEC	0	\$.12
W42189 - WILLIAMS, DAVID	WAL	19910128	IN - Income	Interest Credited for DEC	0	\$.97
W42189 - WILLIAMS, DAVID	WAL	19910123	MP - UNKNOWN	Maint Payroll 01/06-01/12	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910123	MP - UNKNOWN	Maint Payroll 01/06-01/12	0	\$10.50
W42189 -			MP -			

WILLIAMS, DAVID	WAL	19910116	UNKNOWN	Maint Payroll 12/30-01/05	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910116	MP - UNKNOWN	Maint Payroll 12/30-01/05	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19910114	PE - UNKNOWN	ETHEL M. VAUGHAN	1,081	\$150.00
W42189 - WILLIAMS, DAVID	WAL	19910114	SP - UNKNOWN	FAMILY ASSISTANCE	0	\$140.00
W42189 - WILLIAMS, DAVID	WAL	19910114	SP - UNKNOWN	FAMILY ASSISTANCE	0	\$140.00
W42189 - WILLIAMS, DAVID	WAL	19910111	FT - UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19910110	IN - Income	Interest Credited for NOV	0	\$ .12
W42189 - WILLIAMS, DAVID	WAL	19910110	IN - Income	Interest Credited for NOV	0	\$1.06
W42189 - WILLIAMS, DAVID	WAL	19910109	CN - Canteen		0	-\$4.00
W42189 - WILLIAMS, DAVID	WAL	19910109	MP - UNKNOWN	Maint Payroll 12/23-12/29	0	\$12.00
W42189 - WILLIAMS, DAVID	WAL	19910109	MP - UNKNOWN	Maint Payroll 12/23-12/29	0	\$12.00
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W42189 - WILLIAMS, DAVID	WAL	19910102	MP - UNKNOWN	Maint Payroll 12/16-12/22	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901228	PE - UNKNOWN	THE LLEWELLYN NEW TIMES *	962	-\$48.35
W42189 -			PE -			

WILLIAMS, DAVID	WAL	19901226	UNKNOWN	CENTER NEWS	920	-\$11.50
W42189 - WILLIAMS, DAVID	WAL	19901226	MP - UNKNOWN	Maint Payroll 12/09-12/15	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901226	MP - UNKNOWN	Maint Payroll 12/09-12/15	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901225	ML - Mail	BECKY BOCELLI	0	\$25.00
W42189 - WILLIAMS, DAVID	WAL	19901219	FT - UNKNOWN	POSTAGE	0	-\$2.60
W42189 - WILLIAMS, DAVID	WAL	19901219	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19901219	MP - UNKNOWN	Maint Payroll 12/02-12/08	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901219	MP - UNKNOWN	Maint Payroll 12/02-12/08	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901217	CX - UNKNOWN	Canteen - Christmas gift	0	\$10.00
W42189 - WILLIAMS, DAVID	WAL	19901212	MP - UNKNOWN	Maint Payroll 11/25-12/01	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901212	MP - UNKNOWN	Maint Payroll 11/25-12/01	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19901205	MP - UNKNOWN	Maint Payroll 11/18-11/24	0	\$12.00
W42189 - WILLIAMS, DAVID	WAL	19901205	MP - UNKNOWN	Maint Payroll 11/18-11/24	0	\$12.00
W42189 - WILLIAMS, DAVID	WAL	19901129	PE - UNKNOWN	THE THEOSOPHICAL PUBLISHING ***	672	-\$32.00
W42189 -			CN -			

WILLIAMS, DAVID	WAL	19900515	UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19900510	PE - UNKNOWN	ETHEL VAUGHAN	12,557	-\$30.00
W42189 - WILLIAMS, DAVID	WAL	19900509	CN - Canteen		0	-\$3.50
W42189 - WILLIAMS, DAVID	WAL	19900509	MP - UNKNOWN	Maint Payroll 04/22-04/28	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900509	MP - UNKNOWN	Maint Payroll 04/22-04/28	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900507	FT - UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19900507	FT - UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19900507	IN - Income	Interest Credited for MAR	0	\$.24
W42189 - WILLIAMS, DAVID	WAL	19900507	IN - Income	Interest Credited for MAR	0	\$1.51
W42189 - WILLIAMS, DAVID	WAL	19900503	CN - Canteen		0	-\$4.30
W42189 - WILLIAMS, DAVID	WAL	19900503	MP - UNKNOWN	Maint Payroll 04/15-04/21	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900503	MP - UNKNOWN	Maint Payroll 04/15-04/21	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900425	CN - Canteen		0	-\$5.52
W42189 - WILLIAMS, DAVID	WAL	19900425	PE - UNKNOWN	BARNES & NOBLE ***	12,437	-\$16.95
W42189 -			PE -			

WILLIAMS, DAVID	WAL	19900228	Canteen		0	-\$5.15
W42189 - WILLIAMS, DAVID	WAL	19900228	MP - UNKNOWN	Maint Payroll 02/11-02/17	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900228	MP - UNKNOWN	Maint Payroll 02/11-02/17	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900222	CN - Canteen		0	-\$5.14
W42189 - WILLIAMS, DAVID	WAL	19900222	TS - UNKNOWN	COMM.OF MASS.	11,974	-\$1.87
W42189 - WILLIAMS, DAVID	WAL	19900222	PE - UNKNOWN	BAINES & NOBLE * * *	11,971	-\$20.90
W42189 - WILLIAMS, DAVID	WAL	19900221	MP - UNKNOWN	Maint Payroll 02/04-02/10	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900221	MP - UNKNOWN	Maint Payroll 02/04-02/10	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900214	CN - Canteen		0	-\$21.63
W42189 - WILLIAMS, DAVID	WAL	19900214	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19900214	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19900214	ML - Mail	REBECCA BOCELLI	0	\$30.00
W42189 - WILLIAMS, DAVID	WAL	19900214	MP - UNKNOWN	Maint Payroll 01/28-02/03	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900214	MP - UNKNOWN	Maint Payroll 01/28-02/03	0	\$10.50
W42189 -			CN -			

WILLIAMS, DAVID	WAL	19900207	Canteen		0	-\$6.57
W42189 - WILLIAMS, DAVID	WAL	19900207	PE - UNKNOWN	DOVER PUBLICATIONS ***	11,862	-\$18.40
W42189 - WILLIAMS, DAVID	WAL	19900207	MP - UNKNOWN	Maint Payroll 01/21-01/27	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900207	FT - UNKNOWN	POSTAGE	0	-\$2.25
W42189 - WILLIAMS, DAVID	WAL	19900207	MP - UNKNOWN	Maint Payroll 01/21-01/27	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900205	FT - UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19900131	CN - Canteen		0	-\$6.10
W42189 - WILLIAMS, DAVID	WAL	19900131	MP - UNKNOWN	Maint Payroll 01/14-01/20	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900131	MP - UNKNOWN	Maint Payroll 01/14-01/20	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900130	IN - Income	Interest Credited for DEC	0	\$.29
W42189 - WILLIAMS, DAVID	WAL	19900130	IN - Income	Interest Credited for DEC	0	\$1.58
W42189 - WILLIAMS, DAVID	WAL	19900129	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19900129	FT - UNKNOWN	POSTAGE	0	-\$1.30
W42189 - WILLIAMS, DAVID	WAL	19900129	FT - UNKNOWN	POSTAGE	0	-\$3.10
W42189 -			PE -			

WILLIAMS, DAVID	WAL	19900126	UNKNOWN	CENTER NEWS	11,772	-\$11.00
W42189 - WILLIAMS, DAVID	WAL	19900124	CN - Canteen		0	-\$4.72
W42189 - WILLIAMS, DAVID	WAL	19900124	MP - UNKNOWN	Maint Payroll 01/07-01/13	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900124	MP - UNKNOWN	Maint Payroll 01/07-01/13	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900122	PE - UNKNOWN	ETHEL VAUGHAN	11,731	-\$150.00
W42189 - WILLIAMS, DAVID	WAL	19900122	SP - UNKNOWN	FAMILY ASSIST.	0	-\$140.00
W42189 - WILLIAMS, DAVID	WAL	19900122	SP - UNKNOWN	FAMILY ASSIST.	0	\$140.00
W42189 - WILLIAMS, DAVID	WAL	19900117	CN - Canteen		0	-\$5.60
W42189 - WILLIAMS, DAVID	WAL	19900117	PE - UNKNOWN	BARNES AND NOBLE ***	11,681	-\$23.90
W42189 - WILLIAMS, DAVID	WAL	19900117	FT - UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19900117	MP - UNKNOWN	Maint Payroll 12/31-01/06	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900117	MP - UNKNOWN	Maint Payroll 12/31-01/06	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900115	ML - Mail	REBECCA BOCELLI	0	\$30.00
W42189 - WILLIAMS, DAVID	WAL	19900110	CN - Canteen		0	-\$5.35
W42189 -				THEOSOPHICAL		

WILLIAMS, DAVID	WAL	19900110	ML - Mail	SOCIETY	0	\$3.70
W42189 - WILLIAMS, DAVID	WAL	19900110	MP - UNKNOWN	Maint Payroll 12/24-12/30	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900110	MP - UNKNOWN	Maint Payroll 12/24-12/30	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900104	CN - Canteen		0	-\$5.50
W42189 - WILLIAMS, DAVID	WAL	19900103	MP - UNKNOWN	Maint Payroll 12/17-12/23	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19900103	MP - UNKNOWN	Maint Payroll 12/17-12/23	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891227	PE - UNKNOWN	DOVER PUBLISHING *-*	11,493	-\$13.40
W42189 - WILLIAMS, DAVID	WAL	19891227	MP - UNKNOWN	Maint Payroll 12/10-12/16	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891227	MP - UNKNOWN	Maint Payroll 12/10-12/16	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891226	PE - UNKNOWN	CENTER NEWS	11,477	-\$6.75
W42189 - WILLIAMS, DAVID	WAL	19891226	PE - UNKNOWN	CENTER NEWS	11,477	-\$6.00
W42189 - WILLIAMS, DAVID	WAL	19891225	ML - Mail	B. BOCELLI	0	\$30.00
W42189 - WILLIAMS, DAVID	WAL	19891220	CN - Canteen		0	-\$5.45
W42189 - WILLIAMS, DAVID	WAL	19891220	PE - UNKNOWN	THE THEOSOPHICAL PUBLISHING *	11,452	-\$22.15
W42189 -			MP -			

WILLIAMS, DAVID	WAL	19891101	UNKNOWN	POSTAGE	0	-\$2.00
W42189 - WILLIAMS, DAVID	WAL	19891101	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19891101	FT - UNKNOWN	POSTAGE	0	-\$2.20
W42189 - WILLIAMS, DAVID	WAL	19891101	MP - UNKNOWN	Maint Payroll 10/15-10/21	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891101	MP - UNKNOWN	Maint Payroll 10/15-10/21	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891025	CN - Canteen		0	-\$16.09
W42189 - WILLIAMS, DAVID	WAL	19891025	FT - UNKNOWN	POSTAGE	0	-\$2.60
W42189 - WILLIAMS, DAVID	WAL	19891025	MP - UNKNOWN	Maint Payroll 10/08-10/14	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891025	MP - UNKNOWN	Maint Payroll 10/08-10/14	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891023	PE - UNKNOWN	CENTER NEWS	10,894	-\$6.50
W42189 - WILLIAMS, DAVID	WAL	19891018	CN - Canteen		0	-\$9.60
W42189 - WILLIAMS, DAVID	WAL	19891018	PE - UNKNOWN	THEOSOPHICAL PUBLISHING HOUSE ***	10,885	-\$22.40
W42189 - WILLIAMS, DAVID	WAL	19891018	MP - UNKNOWN	Maint Payroll 10/01-10/07	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19891018	MP - UNKNOWN	Maint Payroll 10/01-10/07	0	\$10.50
W42189 -			CN -			

WILLIAMS, DAVID	WAL	19890928	IN - Income	Interest Credited for JUL	0	\$ .68
W42189 - WILLIAMS, DAVID	WAL	19890927	CN - Canteen		0	-\$11.48
W42189 - WILLIAMS, DAVID	WAL	19890927	MP - UNKNOWN	Maint Payroll 09/10-09/16	0	\$9.00
W42189 - WILLIAMS, DAVID	WAL	19890927	MP - UNKNOWN	Maint Payroll 09/10-09/16	0	\$9.00
W42189 - WILLIAMS, DAVID	WAL	19890924	ML - Mail	R.BOCCELLI	0	\$50.00
W42189 - WILLIAMS, DAVID	WAL	19890920	CN - Canteen		0	-\$7.30
W42189 - WILLIAMS, DAVID	WAL	19890920	FT - UNKNOWN	POSTAGE	0	-\$2.80
W42189 - WILLIAMS, DAVID	WAL	19890920	MP - UNKNOWN	Maint Payroll 09/03-09/09	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19890920	MP - UNKNOWN	Maint Payroll 09/03-09/09	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19890920	ML - Mail	CENTER NEWS REFUND	0	\$4.50
W42189 - WILLIAMS, DAVID	WAL	19890918	ML - Mail	USA TODAY	0	\$5.00
W42189 - WILLIAMS, DAVID	WAL	19890913	MP - UNKNOWN	Maint Payroll 08/27-09/02	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19890913	MP - UNKNOWN	Maint Payroll 08/27-09/02	0	\$10.50
W42189 - WILLIAMS, DAVID	WAL	19890911	PE - UNKNOWN	THEOSOPHICAL PUBLISHING *	10,588	-\$18.35
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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ATTACHMENT 3(D)

## 1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY)

David Williams, pro se vs. David Nolan

## 2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820\*, 830\*, 840\*, 850, 890, 892-894, 895, 950.
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.

\*Also complete AO 120 or AO 121  
for patent, trademark or copyright cases

## 3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

David Williams, pro se, vs. Kathleen Dennehy, 03-cv-10224-MLW

## 4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?

YES  NO 

## 5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)

YES  NO 

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?

YES  NO 

## 6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?

YES  NO 

## 7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).

YES  NO 

## A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?

EASTERN DIVISION  CENTRAL DIVISION  WESTERN DIVISION 

## B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?

EASTERN DIVISION  CENTRAL DIVISION  WESTERN DIVISION 

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME David Williams, pro se, w-42189ADDRESS P.O. Box 100, So. Walpole, MA 02071-0100TELEPHONE NO. N/A

**CIVIL COVER SHEET**

\* The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

DAVID WILLIAMS, PRO SE

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Norfolk, MA  
(EXCEPT IN U.S. PLAINTIFF CASES)

**DEFENDANTS Mass. Department of Correction**  
DAVID NOLAN, PETER ALLEN, KRISTIE  
LADOUCEUR, GARY FYFE, FRANCIS P 2:59  
MACKINNON, SHERRY ELLIOTT.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Norfolk, MA  
(IN U.S. PLAINTIFF CASES ONLY)  
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
TRACT OF LAND INVOLVED.

## (c) ATTORNEYS (FIRM NAME, ADDRESS AND TELEPHONE NUMBER)

David Williams, pro se 02071  
w-42189  
P.O. Box 100, So. Walpole, MA 02071

ATTORNEYS (IF KNOWN) Massachusetts Department of  
Correction, Attorney Nancy Ankers White,  
70 Franklin St, Suite 600, Boston, MA  
02110.

**II. BASIS OF JURISDICTION** (PLACE AN "X" IN ONE BOX ONLY)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)   |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | PTF  | DEF   | PTF                        | DEF                        |
|--|---|----------------------------|----------------------------|
| <input checked="" type="checkbox"/> Citizen of This State        | <input checked="" type="checkbox"/> Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> Citizen of Another State                | <input type="checkbox"/> Incorporated and Principal Place of Business In Another State        | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> Citizen or Subject of a Foreign Country | <input type="checkbox"/> Foreign Nation   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- |   |   |  |  |  |   |  |
|---|---|--|--|--|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input checked="" type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |
|---|---|--|--|--|---|--|

**V. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury – Med. Malpractice	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury – Product Liability	<b>PROPERTY RIGHTS</b>	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 440 Commerce/ICC Rates/etc.	
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 450 Deportation	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth In Lending	<input type="checkbox"/> 510 Selective Service	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 550 Securities/Commodities/Exchange	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 365 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 675 Customer Challenge 12 USC 3410	
<input type="checkbox"/> 165 Other Contract	<input type="checkbox"/> 380 Other Personal Injury		<input type="checkbox"/> 801 Agricultural Acts	
<input type="checkbox"/> 166 Contract Product Liability			<input type="checkbox"/> 802 Economic Stabilization Act	
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<input type="checkbox"/> 803 Environmental Matters	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 804 Energy Allocation Act	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<b>HABEAS CORPUS:</b>	<input type="checkbox"/> 805 Freedom of Information Act	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 520 General	<input type="checkbox"/> 806 Appeal of Fee Determination Under Equal Access to Justice	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 807 Constitutionality of State Statutes	
<input type="checkbox"/> 245 Tort Product Liability	<input checked="" type="checkbox"/> 446 Other Civil Rights	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 808 Other Statutory Actions	
<input type="checkbox"/> 260 All Other Real Property		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
			<b>SOCIAL SECURITY</b>	
			<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395f)
			<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 862 Black Lung (923)
			<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 863 DOLC/DIWV (405(g))
			<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 864 SSID Title XVI
			<input type="checkbox"/> 760 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))
			<input type="checkbox"/> 781 Empl. Ret. Inc. Security Act	<b>FEDERAL TAX SUITS</b>
				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
				<input type="checkbox"/> 871 IRS – Third Party 26 USC 7809

**VI. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE.  
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. 1983, Unlawful Prohibiting Free Exercise of Religion, First, Fifth and Fourteenth Amendment violations.

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
 UNDER F.R.C.P. 23

DEMAND \$ 90,000.00 CHECK YES only if demanded in complaint:

JURY DEMAND:  YES  NO**VIII. RELATED CASE(S)** (See Instructions):IF ANY JUDGE Mark WolfDOCKET NUMBER 03-cv-10224-MLW

DATE

SIGNATURE OF ATTORNEY OF RECORD

May 8, 2005

*David Williams, pro se, w-42189*

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